

OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD
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NOTICE OF PROPOSED FURTHER MODIFICATIONS TO
CALIFORNIA CODE OF REGULATIONS

TITLE 8; Division 1, Chapter 4, Subchapter 7, Article 98, Section 4999
of the General Industry Safety Orders

Properly Rigged (Handling Loads)

Pursuant to Government Code Section 11346.8(c), the Occupational Safety and Health Standards Board (Standards Board) gives notice of the opportunity to submit written comments on the above-named regulation in which further modifications are being considered as a result of Board Members' comments and Board staff evaluation.

On July 17, 2008, the Standards Board held a Public Hearing to consider revisions to Title 8, Division 1, General Industry Safety Orders, Section 4999. The Standards Board received oral and written comments on the proposed modifications. The regulation has been modified as a result of these comments.

A copy of the full text of the regulation with the modifications clearly indicated and a summary of all oral and written comments and staff responses regarding the original proposal were mailed out to interested parties on August 27, 2008. As a result of this first 15-Day Notice, there were no written comments.

On October 16, 2008, the Standards Board held a Business Meeting to adopt this regulation. During the Business Meeting, there were several comments from Board Members regarding this modified proposal.

A copy of the text of the regulation with the further modifications clearly indicated are attached for your information. In addition, a summary of the Board Members' oral comments regarding the proposal and staff responses is included.

Any written comments on these further modifications must be received by 5:00 p.m. on November 13, 2008 at the Occupational Safety and Health Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. The regulation will be scheduled for re-adoption at a future Business Meeting of the Occupational Safety and Health Standards Board.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed action is open to public inspection Monday through Friday, from 8:00 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, California.

Inquires concerning the proposed further modifications may be directed to the Executive Officer, Marley Hart at (916) 274-5721.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

Marley Hart, Executive Officer

Date: October 24, 2008

Further Modifications to the First 15-Day Proposal

(Regulatory language to be
deleted is shown italicized, bold and double strike-out and
new language is shown italicized, bold and double underscore.)

STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Attachment No. 1

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PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 4999 to read:

§4999. Handling Loads.

(a) The qualified person (rigger) shall be trained and capable of safely performing the rigging operation.
~~Crane~~ All loads shall be rigged by a qualified person (rigger) or by a trainee under the *direct visual*
supervision of a qualified person (rigger).

~~(a)~~(b) Size of Load. A crane, derrick, or hoist shall not be loaded beyond the rated capacity or safe working load whichever is smaller, except for test purposes. In all operations where the weight of the load being handled is unknown and may approach the rated capacity, there shall be a qualified person (rigger) assigned to determine the magnitude of the load, unless the crane or derrick is equipped with a load weighing device. The operator shall not make any lift under these conditions until informed of such weight by the qualified person (rigger) assigned to that operation.

~~(b)~~(c) Attaching the Load.

(1) The load shall be attached to the hook by means of slings or other suitable and effective means which shall be properly rigged to insure the safe handling of the load. ~~When required by Section 5002 of these Orders, the hook latch or gate shall be closed to prevent slings from being displaced from the hook.~~

NOTE: For additional rigging requirements pertaining to erection of structures, refer to Construction Safety Orders, Section 1710(d). For signal requirements, refer to Section 5001 of these Orders.

(2) Slings shall be freed of kinks or twists before use. Slings shall comply with the requirements of Article 101 of these Orders.

(3) Baskets, tubs, skips, or similar containers used for hoisting bulk materials shall be loaded so as not to exceed their safe carrying capacity.

(4) The hoist rope shall not be wrapped around the load.

~~(c)~~(d) Moving the Load. The individual directing the lift shall see that:

(1) The crane is properly leveled for the work being performed and blocked, where necessary;

TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 4999 to read (continued):

(2) The load is well secured and properly balanced in the sling or lifting device before it is lifted more than a few inches;

(3) Ropes shall not be handled on a winch head without the knowledge of the operator.

While a winch head is being used, the operator shall be within convenient reach of the power unit control lever;

~~(4) Side loading of the boom shall be prohibited except as permitted in subsection (g) of this section.~~

~~(d)~~(e) Before Starting to Hoist:

(1) The hoist rope shall not be kinked.

(2) Multiple part lines shall not be twisted around each other.

(3) The hook shall be positioned over the load in such a manner as to prevent swinging of the load when lifted.

(4) If there is a slack rope condition, the rope shall be properly seated on the drum and in the sheaves.

~~(e)~~(f) During Hoisting:

(1) There shall be no sudden acceleration or deceleration of the moving load.

(2) Inadvertent contact with obstructions shall be prevented.

~~(f)~~(g) Side Loading. Side loading of booms shall be limited to freely suspended loads, and booms shall not be used for dragging loads sideways unless the boom is specifically designed and constructed to withstand such side loading.

~~(g)~~(h) Loads shall not be released or detached from a crane or other hoisting apparatus until the qualified person (rigger) detaching the load has verified that the load has been secured or supported to prevent inadvertent movement.

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PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 4999 to read (continued):

~~(h)~~(i) Holding the Load.

(1) When a load of any kind is to be suspended for any considerable time, the drum holding mechanism shall be used in addition to the brake which shall also be applied.

(2) Cranes, hoists, or derricks shall not be left unattended while the load is suspended unless the load is suspended over water, a barricaded area, or is blocked up or otherwise supported from below during repairs or emergency.

~~(j)~~ (j) Where a rotating crane is positioned to operate in areas where persons may be caught between rotating parts of the crane and outside obstructions or parts of rotating machine deck and nonrotating parts of crane, those danger areas shall be barricaded or other positive means shall be taken to prevent traffic and workers, except the operator from entering such areas while the crane is operating.

~~(k)~~ (k) On truck mounted cranes, no loads shall be lifted over the front area except as approved by the certified agency.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

Summary and Responses to
Board Members' Oral Comments
at the
October 16, 2008 Business Meeting

**Summary and Responses to Board Members' Comments at the
October 16, 2008 Business Meeting**

Mr. Steve Rank and Mr. Jack Kastorff, OSHSB Members.

Mr. Rank suggested modifications in two places in Section 4999(a). He suggested subsection (a) be modified to read “All loads shall be rigged by a qualified person (rigger). . . .” and “under the direct supervision of a qualified person (rigger).” Mr. Kastorff agreed with Mr. Rank and suggested that subsection (a) be more specific and state “under the direct visual supervision. . . .” Both Mr. Rank and Mr. Kastorff stated that the additional modifications were necessary to ensure employers understand that the trainee is to be carefully monitored by the rigger present when the load is attached/detached. Mr. Rank stated that he wanted to be sure it is understood that each time any load must be suspended by a crane, the process of attaching/detaching is performed by a qualified person. This is consistent with language stipulated in the Title 8 steel erection standards contained in Section 1710(d).

Response:

The Board agrees with Mr. Rank’s and Mr. Kastorff’s suggestions and will further modify subsection (a) accordingly.

Mr. Willie Washington, OSHSB Member.

Mr. Washington stated that in his opinion riggers and connectors are qualified persons and the proposal should be clear about the extent to which the safety order applies to connectors.

Response:

Section 1710 of the Construction Safety Orders (CSO) contains vertical standards for steel erection. Connectors are defined in Section 1710 as employees who work with hoisting equipment to place and connect beams or other structural members. Section 1710(d) specifically addresses standards for hoisting and rigging and delineates the respective responsibilities of connectors and qualified riggers. Connectors make the initial connection of beam/structural member and guide its placement into position for connection, whereas, riggers attach and detach loads or rig the load as it were. Section 1710(d)(1)(B)(3) requires all loads to be rigged by a qualified rigger. Section 1710(q) already requires connectors to be trained in connector procedures; they are by virtue of such training and by definition, qualified persons. In view of the CSO provisions regarding connectors, the Board concludes that it is unnecessary to modify this proposal with reference to connectors.
